

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (GBD) (SN) ECF Case
This document relates to:  <i>Katherine Dillaber, et al., v. Islamic Republic of Iran, et al.</i>	18-cv-03162 (GDB)(SN) ECF Case

**DECLARATION IN SUPPORT OF MOTION FOR ENTRY OF PARTIAL FINAL  
DEFAULT JUDGMENT ON BEHALF OF PERSONAL INJURY PLAINTIFF  
KATHERINE DILLABER**

AMANDA FOX PERRY, Esquire, hereby states under penalty of perjury that:

1. I am a member of the law firm of Fay Law Group, PA, attorneys for the Plaintiffs in the above-captioned matter. I submit this Declaration in support of this motion on behalf of Plaintiff Katherine Dillaber.
2. The form of this motion and the relief requested herein are intended to comply with the following orders of this Court:
  - a. The Court's order dated January 24, 2017 (ECF No. 3435), requiring that "[a]ll further motions for final judgment against any defaulting defendant shall be accompanied by a sworn declaration attesting that the attorney has (1) complied with the due diligence safeguards [referenced in Section II.D. of the January 23, 2017 letter from the Plaintiffs' Executive Committee (ECF No. 3433)] and (2) personally verified that no relief has previously been awarded to any plaintiff included in the judgment (or, if the relief has been awarded, the nature of that relief)." For compliance with the required sworn declaration, please see below.
  - b. The Court's Order dated October 14, 2016 (ECF No. 3362) related to the cases captioned as *Bauer v. Al Qaeda Islamic Army*, 02-cv-7236 (GBD)(SN) and *Ashton v. al Qaeda Islamic Army*, 02-CV-6977 (GBD)(SN).

3. Service of process on the Islamic Republic of Iran and the Iranian Ministry of Information and Security (MOIS) was executed pursuant to 28 U.S.C. § 1608(a)(4) on March 5, 2019, through diplomatic channels.

4. The source of my information and the basis for my belief in my statements contained herein is my personal involvement in this matter, my firm's representation of Plaintiff Katherine Dillaber in connection with the September 11<sup>th</sup> terror attacks, other court records relating to the *In re Terrorist Attack on September 11, 2001*, multidistrict litigation to which this Plaintiff is a party, and my communications directly with Plaintiff Katherine Dillaber.

5. Plaintiff Katherine Dillaber sustained physical injuries on September 11, 2001, as a proximate result of the terrorist attacks on September 11, 2001.

6. Exhibit A is a true and correct copy of the Declaration of Katherine Dillaber detailing the injuries she sustained on September 11, 2001. Attached to the Declaration are supporting documents, some of which contain confidential information. In accordance with this Court's August 23, 2021 Order, Plaintiff is filing the confidential documents (Declaration Exhibits A, C, D, E, and H) by disc with the Clerk of Court to be maintained under seal. 03 MDL 1570, ECF No. 7067.

7. Before filing this motion, I have (1) complied with the due diligence safeguards referenced in Section II.D. of the January 23, 2017 letter from the Plaintiffs Executive Committees (ECF No. 3433) and (2) personally verified that, based on my review of the records available to me regarding other judgments entered by this Court against the Iranian defendants, no relief has previously been awarded to Katherine Dillaber in the judgment.

8. Accordingly, a Proposed Order of Partial Final Default Judgment for Personal Injury Plaintiff Katherine Dillaber, conforming to this Court's previous orders, is being filed contemporaneously with this Declaration.

Dated: August 25, 2021

Respectfully submitted,

/s/ Amanda Fox Perry

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*Attorney for Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that Defendants Islamic Republic of Iran and Iranian Ministry of Information and Security could not be sent a copy of the Notice of Electronic Filing as they have not yet entered an appearance and appear not to have acknowledged other efforts to contact them in this case.

/s/ Amanda Fox Perry\_\_\_\_\_